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PMC Film Canada Inc v. Shintech Inc

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UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

March 20, 2008

No. 06-5011

PMC Film Canada, Inc.,

Appellant

vs.

Shintech, Inc.

(District of New Jersey - Trenton Civil No. 04-cv-05150)

PRESENT: SCIRICA, Chief Judge, BARRY and ROTH, Circuit Judges

1. Motion by Appellee Shintech, Inc. for Clarification or, Alternatively, Correction of Opinion and Judgment.
2. Response by Appellant to Motion for Clarification or, Alternatively, Correction of Opinion and Judgment.
3. Reply by Appellee Shintech, Inc. in Support of Motion for Clarification or, Alternatively, Correction of Opinion and Judgment.

Opinion/Judgment entered 02/20/08.

/s/ LaToya Corprew

LaToya Corprew

Case Manager 267-299-4915

O R D E R

The foregoing motion is GRANTED, and the Opinion and Judgment are corrected as follows:

The last full paragraph of the Opinion, which reads:

“We will vacate the November 30, 2006 order of the District Court and remand this matter to the District Court with instructions to enter judgment in favor of PMC.”

is deleted and replaced with:

“We will vacate the November 30, 2006 order of the District Court and remand this matter to the District Court for further proceedings consistent with this Court’s Opinion.”

The first sentence of the last full paragraph of the Judgment, which reads:

“ADJUDGED and ORDERED that the order of the District Court be and hereby is vacated and the matter is remanded to the District Court with instructions to enter judgment in favor of PMC.”

is deleted and replaced with:

“ADJUDGED and ORDERED that the order of the District Court be and hereby is vacated and the matter is remanded to the District Court for further proceedings consistent with this Court’s Opinion.”

By the Court,

/s/ Maryanne Trump Barry
Circuit Judge

Dated: April 29, 2008

lwc/cc: Jeffrey G. DiAmico, Esq.
Francis J. Sullivan, Esq.
Christopher M. DiMuro, Esq.
T. Michael Wall, Esq.